

**ASSEMBLY BILL**

**No. 584**

**Introduced by Assembly Member Villaraigosa**

February 25, 1997

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An act to amend Section 130051.9 of, to add Section 130051.25 to, and to add Chapter 6 (commencing with Section 130600) to Division 12 of, the Public Utilities Code, relating to transportation.

LEGISLATIVE COUNSEL'S DIGEST

AB 584, as introduced, Villaraigosa. Transportation: Los Angeles County Metropolitan Transportation Authority: inspector general: code of conduct.

(1) Existing law requires the Los Angeles County Metropolitan Transportation Authority to appoint an inspector general.

This bill would require the State Auditor to appoint the inspector general of the authority to a term of office of 7 years, subject to confirmation by the majority vote of the board of directors of the authority and subject to removal from that office only by a unanimous vote of that board.

(2) Existing law requires the Los Angeles County Metropolitan Transportation Authority to adopt and implement an ordinance for the regulation of lobbying, to include specified minimum provisions.

This bill would prescribe a code of conduct for the board of the authority and would create a state-mandated local program by imposing additional duties on a local governmental entity.

(3) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement, including the creation of a State Mandates Claims Fund to pay the costs of mandates that do not exceed \$1,000,000 statewide and other procedures for claims whose statewide costs exceed \$1,000,000.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: yes.

*The people of the State of California do enact as follows:*

1 SECTION 1. The Legislature finds and declares all of  
2 the following:

3 (a) In order to protect the integrity of the board of the  
4 Los Angeles County Metropolitan Transportation  
5 Authority (hereafter MTA) and sustain the confidence of  
6 the people of Los Angeles County, it is necessary to do all  
7 of the following:

8 (1) Articulate specific standards and guidelines to  
9 assure that those entrusted with public authority avoid  
10 conduct that undermines respect for the MTA.

11 (2) Provide a comprehensive statement of pertinent  
12 laws and regulations, ethical principles, considerations  
13 and obligations governing the conduct of board members  
14 and alternates and their staff and provide a  
15 comprehensive and unified statement of ethical  
16 principles, considerations and obligations to sustain the  
17 public trust in the MTA.

18 (3) Enhance the understanding of the laws and ethical  
19 principles that create the obligations of MTA board  
20 members and alternates and their staff.

21 (4) Establish positive, effective and comprehensive  
22 guidance for the conduct of MTA board members and  
23 alternates and their staff



1 (b) MTA board members and alternates enter into a  
2 special trust relationship with the people of Los Angeles  
3 County involving legal and moral obligations. One aspect  
4 of these obligations requires that those entrusted with  
5 public authority unfailingly demonstrate that they are  
6 worthy of the public's respect and committed to  
7 maintaining the absolute integrity of government.

8 (c) The people of Los Angeles County need and  
9 deserve an agency whose commitment to pursuing public  
10 interest outweighs any competing personal or political  
11 considerations.

12 (d) No code of conduct can anticipate all situations nor  
13 can it prescribe behaviors that are appropriate to most  
14 situations.

15 (e) Board members and alternates and their staff must  
16 exercise discretion and judgment to adhere to the spirit  
17 of the Code of Conduct codified by this act in Chapter 6  
18 (commencing with Section 130600) of Division 12 of the  
19 Public Utilities Code. It is essential to recognize that an  
20 act is not ethical simply because it is legal and conduct is  
21 not proper simply because it is permissible. Board  
22 members and alternates should be willing to do more  
23 than the law requires and less than it allows. Strict  
24 compliance is not necessarily enough and attempts to  
25 evade or circumvent ethics laws and rules are improper.  
26 All actions, decisions and votes should be made on their  
27 merits, objectively and without party, regional, or  
28 ideological bias.

29 (f) The Code of Conduct views the obligations of the  
30 MTA board members and alternates and their staff in a  
31 positive way. The statements of ethical standards and  
32 specific sanctions to enforce them are not driven by  
33 negative assumptions about the character of those who  
34 serve on the board. Instead they reflect the need for  
35 clarity and a commitment to the noble dimension of  
36 democratic government.

37 SEC. 2. Section 130051.9 of the Public Utilities Code  
38 is amended to read:

39 130051.9. (a) The Los Angeles County Metropolitan  
40 Transportation Authority shall appoint a full-time chief

1 executive officer who shall act for the authority under its  
2 direction and perform those duties delegated by the  
3 authority.

4 (b) The Los Angeles County Metropolitan  
5 Transportation Authority shall appoint a general counsel;  
6 ~~inspector general~~; and board secretary.

7 ~~(c) The inspector general shall, at a noticed public~~  
8 ~~hearing of the authority, report quarterly on the~~  
9 ~~expenditures of the authority for travel, meals and~~  
10 ~~refreshments, private club dues, membership fees and~~  
11 ~~other charges, and any other expenditures which are~~  
12 ~~specified by the authority.~~

13 ~~(d) Any investigatory file compiled by the inspector~~  
14 ~~general is an investigatory file compiled by a local law~~  
15 ~~enforcement agency subject to disclosure pursuant to~~  
16 ~~subdivision (f) of Section 6254 of the Government Code.~~

17 SEC. 3. Section 130051.25 is added to the Public  
18 Utilities Code, to read:

19 130051.25. (a) The State Auditor shall appoint the  
20 inspector general of the Los Angeles County  
21 Metropolitan Transportation Authority to a term of office  
22 of seven years, subject to confirmation by the majority  
23 vote of the board of directors of that authority and subject  
24 to removal from that office only by a unanimous vote of  
25 that board.

26 (b) The inspector general shall, at a noticed public  
27 hearing of the authority, report quarterly on the  
28 expenditures of the authority for travel, meals and  
29 refreshments, private club dues, membership fees and  
30 other charges, and any other expenditures which are  
31 specified by the authority.

32 (c) Any investigatory file compiled by the inspector  
33 general is an investigatory file compiled by a local law  
34 enforcement agency subject to disclosure pursuant to  
35 subdivision (f) of Section 6254 of the Government Code.

36 SEC. 4. Chapter 6 (commencing with Section 130600)  
37 is added to Division 12 of the Public Utilities Code, to  
38 read:

39

1 CHAPTER 6. CODE OF CONDUCT FOR THE BOARD OF THE  
2 LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION  
3 AUTHORITY  
4

5 130600. For purposes of this chapter, the following  
6 terms have the following meanings:

7 (a) “Board” means the board of directors of the Los  
8 Angeles County Metropolitan Transportation Authority  
9 and their alternates.

10 (b) “Board member” or “member” includes alternate  
11 members of the board.

12 (c) “Entitlement for use” includes all contracts except  
13 competitively bid, labor, or personal employment  
14 contracts, regardless of whether an individual accepts,  
15 solicits, or directs the contribution for himself or herself  
16 or on behalf of any other candidate or committee.

17 (d) “Gift” has the same meaning as defined in Section  
18 82028 of the Government Code.

19 (e) “Indirect investment or interest” means any  
20 investment or interest owned by the spouse or dependent  
21 children of an individual, by an agent on behalf of the  
22 individual, or by a business entity or trust in which the  
23 individual, the individual’s agents, spouse, or dependent  
24 children own directly, indirectly or beneficially a 10  
25 percent interest or greater.

26 (f) “Participant” means any person, other than a  
27 party, as defined in subdivision (e), who is not a party but  
28 who actively supports or opposes a particular decision in  
29 a proceeding involving a license permit or other  
30 entitlement for use, including contract actions, and who  
31 has a financial interest in the decision. A person actively  
32 supports or opposes a particular decision in a proceeding  
33 if he or she lobbies in person the board members or MTA  
34 employees, testifies in person before the MTA, or  
35 otherwise acts to influence officers of the agency.

36 (g) “Party” means any person who files an application  
37 for, or is the subject of, a proceeding involving a license,  
38 permit, or other entitlement for use to competitively bid  
39 on contracts, including contract amendments and change  
40 orders.

1 (h) “MTA” means the Los Angeles County  
2 Metropolitan Transportation Authority.

3 130605. Any reference to “chief executive officer,”  
4 “general counsel,” “counsel,” “inspector general,”  
5 “board secretary,” or “secretary” is to the officers of the  
6 Los Angeles County Transportation Authority appointed  
7 under Section 130051.9.

8 130610. (a) The board shall appoint an ethics officer,  
9 who shall report to the board.

10 (b) When in doubt as to the applicability of any  
11 provision of this chapter to any particular situation, a  
12 board member shall contact the general counsel or the  
13 ethics officer for advice.

14 130615. (a) The provisions of this chapter shall be  
15 enforced by the inspector general.

16 (b) Any violation of this chapter that is also a violation  
17 of other state law or of local or federal law may also be  
18 prosecuted by the appropriate authority.

19 (c) Upon notice of a possible violation of this chapter,  
20 the board shall refer the matter to the inspector general  
21 for investigation. Upon completion of the investigation,  
22 if the matter has been determined not to be criminal in  
23 nature and to be of such a nature that it may be disclosed,  
24 the inspector general shall report the findings to the  
25 board. If the matter is determined to be criminal in  
26 nature, the Inspector General shall refer the matter to the  
27 appropriate enforcement authorities for prosecution.

28 130620. (a) Sanctions for violations of this chapter  
29 shall be determined by the board. The sanctions imposed  
30 shall depend upon the severity of the infraction and may  
31 be progressive unless the violation is determined to be so  
32 egregious as to warrant more severe action initially.

33 (b) The board may consult with the inspector general  
34 for an opinion regarding the sanctions appropriate to any  
35 particular violation.

36 (c) Sanctions imposed under this section may include,  
37 but are not limited to, any of the following:

38 (1) Private reprimand by the board.

39 (2) Public censure by the board at a regularly  
40 scheduled meeting.

1 (3) Disqualification from participating in any  
2 discussion or vote on any matter related to the violation.

3 (4) Removal of the board member from one or more  
4 committees for a period of time.

5 (5) Permanent removal of the board member from  
6 one or more committees.

7 (6) Suspension from all board actions for a period of  
8 time.

9 (7) A monetary fine in an amount determined by the  
10 board.

11 (c) If a board member is criminally indicted, he or she  
12 shall be suspended from all board actions for the duration  
13 of the criminal proceeding. If the board member is  
14 acquitted of the charges, he or shall return to the board  
15 as a full, participating member.

16 (d) For violations of this chapter that result in findings  
17 of criminal or civil liability, the board may recommend  
18 additional sanctions to the inspector general after the  
19 civil or criminal proceedings are completed.

20 130625. Confidential information, particularly  
21 investigative reports for the inspector general, shall not  
22 be disseminated beyond the authorized recipient of the  
23 report.

24 130630. The role of the board as it relates to the MTA  
25 is as follows:

26 (a) The board provides counsel and direction to  
27 management and shall not be involved in the day-to-day  
28 affairs of the MTA.

29 (b) Board members do not have individual power or  
30 authority over the MTA. That power and  
31 decision-making authority lie with the full board.

32 130635. The rules of conduct at board meetings shall  
33 apply to all matters under consideration by the board  
34 except for ceremonial matters and are as follows:

35 (a) Board members shall treat MTA staff members  
36 and each other with respect and courtesy.

37 (b) Disagreements shall not result in personal  
38 comments or attacks against an MTA staff member or  
39 another board member.

1 (c) When any member is recognized to speak at a  
2 board meeting, the board member shall address the chair.

3 (d) When two or more members address the chair at  
4 the same time, the chair shall name the member who is  
5 to be the first to speak.

6 (e) When speaking, a member shall confine his or her  
7 remarks to the topic under debate or discussion.

8 (f) Each member, in the order recognized by the  
9 chair, shall have not more than five minutes to speak.

10 (g) Answers to questions asked by a member shall be  
11 counted against the member's five minutes.

12 (h) Once having recognized a member to speak, the  
13 chair shall not recognize that member to be heard again,  
14 except to answer questions, until all other board members  
15 have had an opportunity to speak.

16 (i) All members shall have an opportunity to speak  
17 before the chair may enter the discussion.

18 (j) After all members desiring to speak have had an  
19 opportunity to be heard once, the time for each member  
20 desiring to speak again, or for the first time, shall be  
21 limited to a maximum of three minutes.

22 (k) There shall be no limit to the number of times a  
23 member is allowed to speak.

24 (l) The secretary shall time the members when  
25 discussion of an issue begins and notify the chair when a  
26 member's time has expired.

27 130640. (a) Members shall not publicly engage in  
28 personal attacks on MTA employees or attempt to  
29 discipline any employee.

30 (b) Any concerns regarding an employee's  
31 performance shall be communicated to the chief  
32 executive officer.

33 (c) Any concerns regarding the performance of an  
34 officer of the board shall be communicated to that officer.

35 (d) Nothing in this section limits the right of the board  
36 to evaluate board officers.

37 130645. The following rules apply to speaking and  
38 voting at meetings by alternate members:

39 (a) Alternate members may not speak at meetings if  
40 the principal member is in attendance, unless permission



1 to speak is granted by the chair at the request of the  
2 principal.

3 (b) Alternate member may vote only if the principal  
4 is absent.

5 (c) Each principal member may have only one  
6 alternate.

7 130650. Committee chairs shall present items from  
8 their committee meetings and the recommendation of  
9 their committee.

10 130655. (a) All members shall be afforded an  
11 adequate opportunity to review written motions having  
12 financial or policy implications prior to the board  
13 meeting.

14 (b) A written motion having financial or policy  
15 implications shall be referred to the appropriate  
16 committee for recommendation to the full board, unless  
17 the motion is distributed to all board members not later  
18 than 48 hours prior to the board meeting or this  
19 requirement is waived by the vote of nine board  
20 members.

21 130660. (a) Board members or their staff are  
22 prohibited from soliciting or accepting any gift from MTA  
23 contractors or from persons or entities that have  
24 submitted a proposal or bid for an MTA contract.

25 (b) Board members or their staff shall not accept gifts  
26 aggregating two hundred eighty-nine dollars (\$289) or  
27 more, as specified in Section 89502 or 89503 of the  
28 Government Code, from a single source in any calendar  
29 year.

30 (c) Board members shall disqualify themselves from  
31 participating in a decision that may have a financial effect  
32 upon a source of income aggregating two hundred fifty  
33 dollars (\$250) or more or a donor of gifts aggregating two  
34 hundred eighty-nine dollars (\$289) or more, if those gifts  
35 were received within 12 months preceding the time of  
36 the decision.

37 (d) Board members shall not accept gifts aggregating  
38 more than ten dollars (\$10) in a calendar month from an  
39 MTA registered lobbyist, lobbying firm, or lobbyist  
40 employer.

1 (e) Board members shall report on their annual  
2 Statement of Economic Interest gifts aggregating fifty  
3 dollars (\$50) or more and income of two hundred and  
4 fifty dollars (\$250) or more received from a single source  
5 in a calendar year.

6 130665. (a) Board members or their staff shall not  
7 accept any payment made for a speech given, an article  
8 published, participation in a program, or any other  
9 appearance at a public or private conference,  
10 convention, meeting, social event, meal, or similar  
11 gathering.

12 (b) This section does not prohibit payments for actual  
13 personal services rendered in connection with a  
14 member's practice of a bona fide business, trade, or  
15 profession.

16 130670. Reimbursement for travel or lodging may be  
17 exempt from the provisions prohibiting gifts if the travel  
18 is related to MTA business. That reimbursement,  
19 however, shall be reported in the annual Statement of  
20 Economic Interest. The general counsel may be  
21 consulted prior to accepting payment or reimbursement  
22 to determine whether that reimbursement should be  
23 disqualified as a gift.

24 130675. Board members shall not direct any MTA  
25 employee, contractor or potential contractor to make a  
26 charitable contribution to a specified agency.

27 130680. (a) The chief executive officer shall be  
28 responsible for ensuring the MTA has an independent  
29 professional procurement staff. The chief executive  
30 officer and designated procurement staff shall be  
31 responsible for conducting an independent, autonomous  
32 procurement process in accordance with state and  
33 federal law.

34 (b) Board members shall use objective judgment in  
35 voting on a procurement award and base their decision  
36 on the criteria established in the procurement  
37 documents.

38 (c) Board members or their staff shall not attempt to  
39 influence the contract award.

1 (d) During the procurement process, board members  
2 or their staff shall not communicate with MTA staff  
3 regarding the procurement.

4 (e) Before the staff recommendation for award is  
5 made public, board members or their staff shall only  
6 communicate with the chief executive officer or his or her  
7 designee regarding the procurement. The chief  
8 executive officer shall keep a log of those communications  
9 and shall report those communications and responses in  
10 writing at the board meeting where action on the  
11 procurement is scheduled.

12 (f) Board members or their staff shall not attempt to  
13 obtain information about the recommendation of the  
14 award of a contract until the recommendation is made  
15 public.

16 (g) Board members shall not release information  
17 about the procurement to the public until the award  
18 recommendation is made public.

19 (h) If a board member attempts to communicate with  
20 MTA staff to influence the recommended award, this  
21 communication shall be reported by staff to the inspector  
22 general.

23 130685. (a) Prior to the issuance of a request for  
24 proposal (RFP), request for interest in qualification  
25 (RFIQ), or invitation for bid (IFB), and ending on the  
26 date of the selection of the contractor, no person or entity  
27 submitting a proposal in response to the RFP, RFIQ, or  
28 IFB, nor any officer, employee, representative, agent, or  
29 consultant representing the proposer shall contact by any  
30 means or engage in any discussion concerning the award  
31 of the contract with any board member or his or her staff.  
32 Any contact shall be grounds for the disqualification of  
33 the proposer.

34 (b) A board member who receives any  
35 communication from a proposer in violation of this  
36 chapter shall report that communication to the inspector  
37 general. The inspector general shall forward this  
38 information to the director of contracts and responsible  
39 procurement staff.

(c) Board members shall not meet with a person or entity who submitted a proposal in response to the RFP, RFIQ, or IFB, nor any officer, employee, representative, agent, or consultant representing the proposer regarding a protest submitted regarding the recommended contract award or any lawsuit or potential lawsuit regarding the recommended contract award.

130690. Board members and their staff shall refrain from conduct that they know or reasonably should know is likely to create in the minds of reasonable observers the perception that the board member or staff member used his or her public position improperly.

130695. (a) No board member shall accept, solicit, or direct a contribution, including contributions to candidates and committees in federal, state, or local elections, of more than two hundred fifty dollars (\$250) from any party, or that party's agent, or from any participant, or that participant's agent, while a proceeding involving a license, permit, or other entitlement for use, is pending before the MTA and for six months following the date a final decision is rendered. This prohibition applies regardless of whether the individual accepts, solicits, or directs the contribution for himself or herself or on behalf of any other candidate or committee.

(b) No board member shall accept, solicit, or direct a contribution of more than two hundred fifty dollars (\$250) from any subcontractor to a contract pending before MTA and for six months following the date a final decision is rendered. This prohibition applies regardless of whether the individual accepts, solicits, or directs the contribution for himself or herself or on behalf of any other candidate or committee.

(c) MTA board members or their staff or agents shall not solicit political contributions from other employees or contractors while on duty and shall not coerce those contributions.

(d) MTA board members or staff or agents shall not, directly or indirectly, knowingly solicit political funds or political contributions from other officers or employees of

1 the MTA or from persons on the employment lists of the  
2 MTA. Nothing in this section prohibits an MTA officer or  
3 employee from communicating through the mail or by  
4 other means requests for political funds or contributions  
5 to a significant segment of the public which may include  
6 officers or employees of the MTA.

7 (e) Prior to rendering any decision on an entitlement  
8 for use pending before the MTA, each board member  
9 who received a contribution within the preceding twelve  
10 months in an amount of more than two hundred fifty  
11 dollars (\$250) from a party, subcontractor to a party, or  
12 from any participant shall disclose that fact on the record  
13 of the proceeding.

14 (f) If a board member receives a contribution that  
15 would otherwise require disqualification under this  
16 section, and returns the contribution within 30 days from  
17 the time he or she knows, or should have known, about  
18 the contribution and the proceeding involving a license  
19 permit or other entitlement for use, he or she shall be  
20 permitted to participate in the proceeding.

21 (g) All alternates or designees to the MTA board  
22 representing members of the Los Angeles County board  
23 of supervisors are prohibited from participating in or  
24 voting on a decision where the member they represent  
25 has received a contribution that disqualifies that member  
26 from participating in the decision.

27 (h) Board members and their staff shall not use MTA  
28 employees to solicit campaign contributions from MTA  
29 contractors, potential contractors, or other MTA  
30 employees. MTA employees and contractors and  
31 potential contractors may make contributions on their  
32 own.

33 (i) No board member or member of his or her staff  
34 shall make, participate in making, or in any way attempt  
35 to use his or her official position to influence a contract  
36 decision if the board member has willfully or knowingly  
37 received a contribution in an amount of more than two  
38 hundred fifty dollars (\$250) within the preceding 12  
39 months from a party or his or her agent, or from any  
40 participant, or his or her agent, if the board member

1 knows or has reason to know that the participant has a  
2 financial interest in the matter under deliberation. This  
3 prohibition includes contributions from subcontractors.

4 130700. (a) Board members or their staff shall not  
5 participate in an MTA decision in which they know or  
6 have reason to know that they have a financial interest.

7 (b) Board members shall not be purchasers at any sale,  
8 or vendors at any purchase, that is made personally by  
9 that member.

10 (c) Alternate members shall not use their position to  
11 make, participate in making, or influence in any way an  
12 MTA decision in which the alternate member knows or  
13 has reason to know that the principle member has a  
14 financial interest. This prohibition shall not apply to  
15 alternate members representing members appointed by  
16 the Los Angeles County City Selection Committee.

17 (d) An individual is deemed to have a financial  
18 interest in a decision if it is reasonably foreseeable that the  
19 decision will have a material financial effect on that  
20 individual or the individual's immediate family,  
21 distinguishable from its effect on the public generally, or  
22 on any of the following:

23 (1) Any business entity in which the board member or  
24 staff member has a direct or indirect investment worth  
25 one thousand dollars (\$1,000) or more.

26 (2) Any real property in which the board member or  
27 staff member has a direct or indirect interest worth one  
28 thousand dollars (\$1,000) or more.

29 (3) Any source of income, other than gifts and other  
30 than loans by a commercial lending institution made in  
31 the regular course of business in terms available to the  
32 public without regard to official status, aggregating two  
33 hundred fifty dollars (\$250) or more in value provided to,  
34 received by, or promised to the board member or staff  
35 member within 12 months prior to the time when the  
36 decision is made.

37 (4) Any business entity in which the board member or  
38 a member of his or her staff is a director, officer, partner,  
39 trustee, employee, or holds any position of management.



(5) Any donor or, or any intermediary or agent for a donor or a gift or gifts aggregating two hundred eighty nine dollars (\$289) or more in value provided to, received by, or promised to, the board member or staff member within 12 months prior to the time the decision is made.

(e) This section does not prohibit a board member from participating in a decision if that participation is legally required in order for the decision to be made. In that case the individual shall disclose the nature of his or her interest before he or she participates in the decision. The fact that a board member's vote is necessary to break a tie does not make his or her participation legally required for purposes of this subdivision.

130705. (a) Board members or their staff shall not engage in any employment, activity, or enterprise that is inconsistent, incompatible, or in conflict with the duties of an MTA officer.

(b) Board members or their staff shall not use the MTA's facilities, equipment, supplies, badge, prestige, or influence for private gain.

130710. The MTA shall not contract with any of the following:

(a) MTA board members or their staff.

(b) Any profit-making firm or business in which a former board member or member of his or her staff serves as an officer, principal, partner, or major shareholder.

130715. (a) Former board members or their staff shall not participate in any contract with the agency for a period of 12 months after leaving the board.

(b) MTA shall not contract with any profit-making firm or business in which a former board member or member of his or her staff serves as an officer, principal, or partner, or is a shareholder who holds more than ten percent of the stock in the company, for a period of 12 months after the board member has left the board.

130720. Board members shall file Statements of Economic Interest with the ethics officer pursuant to state law, within 30 days of assuming office, annually, and within 30 days of leaving office.

(b) Board members shall file an addendum to the statement required under subdivision (a), disclosing all of their financial interests both within and outside Los Angeles County, including received during the reporting period by all entities in which the member is an officer, principal, partner, or major shareholder.

(c) Any amendments to the Statement of Economic Interest or addendum shall be filed within 30 days of the occurrence of the change.

130725. Any person who receives compensation to regularly provide advice, recommendations, or counsel to board members regarding MTA activities shall file a Statement of Economic Interest with the MTA within 10 days of the commencement of the consultant relationship and shall update that statement within 30 days of the end of each calendar quarter. This requirement does not apply to a full time employee of a governmental entity who is already required to file a statement.

130730. Any person who regularly provides advice, recommendations, or counsel to board members regarding MTA activities and also advises another agency or entity that has a financial interest in an item before the board shall be prohibited from giving advice to board members and MTA staff regarding the item.

SEC. 5. Notwithstanding Section 17610 of the Government Code, if the Commission on State Mandates determines that this act contains costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code. If the statewide cost of the claim for reimbursement does not exceed one million dollars (\$1,000,000), reimbursement shall be made from the State Mandates Claims Fund.

Notwithstanding Section 17580 of the Government Code, unless otherwise specified, the provisions of this act shall become operative on the same date that the act takes effect pursuant to the California Constitution.

O